

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

THE PINKFONG COMPANY, INC.,

Plaintiff,

-against-

ADS-SS, et al.,

Defendants.

23-cv-3793 (AS)

ORDER

ARUN SUBRAMANIAN, United States District Judge:

On November 8, 2023, the Court entered a default judgment and a permanent injunction against Defendants ADS-SS, AONIMOWUJINDIAN US, Ballizao, BaoKKe, Beautiful Weekend, Blossm, BOLMQHTS, csnsd, Dhekaei, Evergreen for you, GZJF-US-US, haikouwurunxiaoshouyouxiangongsi1, HFCKMYXXGS, jichangzhouxiansui, LEYUAN Store, lizhenmengd, lkjhgdgffjgjfj, Satisfying Party US, SLOZVNEG, TengYi Direct, WSSERD-US, xiao wen gift, YAMATCH®, Yanqiu us, yanxin123, YOUCWC, Zhang Zhen Jin communication equipment stored, zhangjiehaomaoyiyouxianzerengongsi, zhenrong baihuo, ZUZU BOOM and 佛山市万飞翔商贸有限公司 a/k/a Foshan Wanfeixiang Trading Co., Ltd (the Defaulting Defendants). Dkt. 47. Plaintiff now moves for an order reopening this case and directing the turnover of the Defaulting Defendants' assets from a third-party, Amazon. Dkt. 48.

It is not clear from Plaintiff's submission whether this Court has jurisdiction over Amazon sufficient to order the turnover of the Defaulting Defendants' assets from it. Amazon is not headquartered in New York, nor does it have its principal place of business in New York. It is therefore unlikely this Court has general personal jurisdiction over Amazon. Further, while this Court might have specific jurisdiction over Amazon based on its connections to New York related


to the claims asserted by Plaintiff, that is not clear from Plaintiff's submission. And Amazon has not been furnished the chance to respond to Plaintiff's contentions.

This points up a deeper irregularity with Plaintiff's motion. Given that a judgment has been entered in this case, one would think that the best course for Plaintiff would be to proceed—judgment in hand—in a summary action directly against Amazon and to do so in a jurisdiction where Amazon would clearly be subject to jurisdiction (such as Washington). Then Amazon would have a chance to respond, given that it would be the party against whom relief is sought.

In any event, if Plaintiff wishes to proceed with this motion, it hereby ORDERED to serve its motion papers and this Order on Amazon **within 7 days**. If Amazon wishes to respond, it should do so within **14 days** of service. In addition, no later than **December 28, 2023**, Plaintiff should file a letter addressing the points raised in this Order as well as any response from Amazon. If Plaintiff no longer wishes to proceed with the motion, it should inform the Court by filing a letter on ECF.

SO ORDERED.

Dated: December 6, 2023  
New York, New York

  
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ARUN SUBRAMANIAN  
United States District Judge